

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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	:	Case No. 13 Civ. 2816 (RMB/JS)
GOLDIN AUCTIONS, LLC,	:	
	:	
Plaintiff,	:	<b><u>DECLARATION OF JODI R.</u></b>
	:	<b><u>SAROWITZ IN OPPOSITION TO</u></b>
-against-	:	<b><u>PLAINTIFF'S MOTION FOR</u></b>
	:	<b><u>PRELIMINARY INJUNCTION,</u></b>
KOBE BRYANT,	:	<b><u>TEMPORARY RESTRAINING</u></b>
	:	<b><u>ORDER, AND EXPEDITED</u></b>
Defendant.	:	<b><u>DISCOVERY</u></b>
	:	
-----	X	

Jodi R. Sarowitz, Esq. declares the following pursuant to 28 U.S.C. § 1746(2):

1. I am an attorney associated with the law firm Loeb & Loeb LLP, attorneys for Defendant Kobe Bryant in the above-captioned action. I respectfully submit this declaration in opposition to Plaintiff Goldin Auctions, LLC's motion, filed by Order to Show Cause, for a preliminary injunction, temporary restraining order, and expedited discovery.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Declaration of Kobe Bryant (with Exhibits A and B thereto), which was executed on May 5, 2013, and which was filed in the Superior Court of the State of California for the County of Orange in the action captioned Kobe Bryant vs. Goldin Auctions, LLC on May 6, 2013.

3. Attached hereto as Exhibit 2 is a true and correct copy of the Declaration of Vanessa Bryant (with Exhibits A and B thereto), which was executed on May 5, 2013, and which was filed in the Superior Court of the State of California for the County of Orange in the action captioned Kobe Bryant vs. Goldin Auctions, LLC on May 6, 2013.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York  
May 7, 2013

  
\_\_\_\_\_  
(Jodi R. Sarowitz, Esq.)

NY1194756.1  
000000-33333

# Exhibit 1

1 Mark D. Campbell (State Bar No. 180528)  
Eric B. Schwartz (State Bar No. 266554)  
2 LOEB & LOEB LLP  
10100 Santa Monica Boulevard, Suite 2200  
3 Los Angeles, California 90067-4120  
Telephone: (310) 282-2000  
4 Facsimile: (310) 282-2200

5 Attorneys for Plaintiff  
KOBE BRYANT  
6  
7

**ELECTRONICALLY FILED**  
Superior Court of California,  
County of Orange

**05/08/2013 at 11:47:00 AM**  
Clerk of the Superior Court  
By Heather Mitchell, Deputy Clerk

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF LOS ANGELES  
10

11 Kobe Bryant,  
12 Plaintiff,  
13 vs.  
14 Goldin Auctions, LLC; and DOES 1  
15 through 25, inclusive,  
16 Defendant.  
17

Case No.

**DECLARATION OF KOBE BRYANT  
IN SUPPORT OF *EX PARTE*  
APPLICATION FOR TEMPORARY  
RESTRAINING ORDER AND ORDER  
TO SHOW CAUSE RE  
PRELIMINARY INJUNCTION AND  
APPOINTMENT OF RECEIVER**

**DECLARATION OF KOBE BRYANT**

I, KOBE BRYANT, declare as follows:

1. I am an individual residing in Newport Coast, Orange County, California. I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently to those facts under oath.

2. I am a professional basketball player for the Los Angeles Lakers. Since I was selected in the first round of the 1996 National Basketball Association ("NBA") draft I have earned numerous accolades including, among many other things, 5 NBA championships, 2 NBA Finals Most Valuable Player awards, an NBA Most Valuable Player award, two NBA scoring titles, and I have been selected to the NBA All-Star team 15 times. I am also the NBA's fourth all-time scoring leader.

3. I do not own any real property in New Jersey, and do not conduct business in the state of New Jersey. My only contacts with New Jersey relate to the approximately once-a-year trips to New Jersey that I made with the Lakers when the Lakers played against the former New Jersey Nets (now the Brooklyn Nets). The last time I was in New Jersey was for an away game on December 12, 2010, during the 2010-2011 NBA season.

4. On April 30, 2013, Defendant Goldin Auctions, LLC ("Goldin" or "Defendant") issued a press release (the "April 30 Press Release") announcing that in June 2013, it intends to auction "The Kobe Bryant Collection," consisting of "100+ unique items from Kobe Bryant's childhood, high school career and entry into the NBA including championship rings and high school game worn uniforms." The April 30 Press Release, and all other advertisements, solicitations and promotions concerning the "The Kobe Bryant Collection," were and are wholly unauthorized by me.

5. Upon learning of the auction, I immediately directed my attorneys to send a cease and desist notice to Goldin, demanding that they return my personal property and cease further advertising of the auction.

6. Attached hereto as Exhibit "A" is a list of items that Goldin claims were certified by my mother, Pamela Bryant. I am informed that this list was provided to my

1 counsel on May 2, 2013. With the exception of items 4 and 5, which are NBA  
2 Championship rings that I had custom-made for my parents, all of the listed items are my  
3 personal property.

4 7. I also note that certain items listed for auction by Goldin in Exhibit "A",  
5 including, without limitation, item 52 (Teen Choice Award Surfboard) was last seen by me  
6 in my personal residence. I do not know how my mother or Goldin obtained possession of  
7 this award, but it was without my permission.

8 8. I have also reviewed the press release attached as Exhibit "C" to the Verified  
9 Complaint filed by Goldin in the United States District Court for the District of New  
10 Jersey. A true and correct copy of that press release is attached hereto as Exhibit "B". The  
11 press release shows a photograph of one of my trophies which was last seen by me in my  
12 personal residence. I do not know how my mother or Goldin obtained possession of this  
13 trophy, but it was without my permission.

14 9. I never told my mother that she could have my personal property, let alone  
15 consign it for sale by public auction. In fact, several years ago, while visiting my parents'  
16 home in Philadelphia, my wife and I specifically requested that my mother return the  
17 property to me so that I may give it to my own children. My mother never returned those  
18 items to me.

19 10. On May 2, 2013, my mother called me on my cell phone. I confronted her  
20 about her false statement that I had given my memorabilia to her. I said to her "Mom, you  
21 know I never told you that you could have the memorabilia." Her response was "yes, but  
22 you never said you wanted it either." Of course, this is untrue since my wife and I  
23 requested that she return my memorabilia several years earlier.

24 11. The items listed for sale by Goldin as part of "The Kobe Bryant Collection"  
25 have tremendous sentimental value for me and I desire to hand down my well-earned  
26 memorabilia to my children. No amount of money can compensate me for the loss of my

27 ///

28 ///

05/05/2013 14:20 949-760-1590

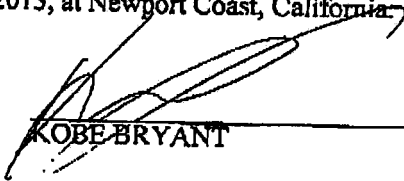
FEDEX OFFICE 0593

PAGE 03

1 unique, irreplaceable personal property, gathered over a decades-long basketball career.

2 I declare under penalty of perjury under the laws of the State of California that the  
3 foregoing is true and correct.

4 Executed this 5th day of May, 2013, at Newport Coast, California.

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KOBE BRYANT

# Exhibit A



## **Mark Campbell**

---

**From:** Ruttenberg, Fred <A.Fred.Ruttenberg@flastergreenberg.com>  
**Sent:** Thursday, May 02, 2013 9:08 AM  
**To:** Mark Campbell  
**Cc:** 'bocacard88@aol.com'  
**Subject:** FW: Items in Goldin Auctions, LLC's Possession  
**Attachments:** (3146582 - 1) - Items in Goldin Auctions, LLC\_s possession 5-2-13 (2).DOCX

Attached please find a corrected list.

If you have a chance, could you call me to discuss this matter.

**A. Fred Ruttenberg**  
**Flaster/Greenberg PC**

Commerce Center, 1810 Chapel Ave. West, Cherry Hill, NJ 08002

Phone: 856-382-2257 Fax: 856-661-1919 Mobile: 856-236-9914 Email: [fred.ruttenberg@flastergreenberg.com](mailto:fred.ruttenberg@flastergreenberg.com)

email | bio | offices | v-card

**Items in Goldin Auctions, LLC's Possession**

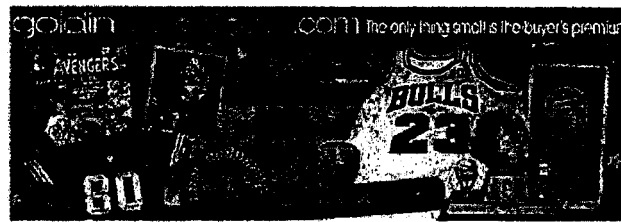
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8. 1995 Adidas ABCD Camp - Outstanding Senior Trophy
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24. 1992 Sonny Hill League Future Stars Champion Trophy

25. 1995 Mark Freed Award with piece of net
26. Gym Rats Midnight Madness West MVP Trophy 9/23/95
27. Herb Good Basketball Club National High School Player of the year 4/25/96
28. 1996 McDonalds High School All American Ring
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47. Aces #9 T-shirt
48. Hot Ticket T-shirt
49. Get High on Hoops T-shirt

50. Fleet Feet T-shirt
51. LM (crimson) T-shirt
52. Teen Choice Award Surf Board
53. USA Today player of the year plaque
54. Approximately 5 boxes (unsorted) of papers, photographs, letters and newspapers relating to Kobe's childhood and High School

3146582 v1

## Exhibit B



FOR IMMEDIATE RELEASE

Media Contact:  
Doug Drotman  
631-462-1198  
[doug@drotmanpr.com](mailto:doug@drotmanpr.com)  
@GoldinAuctions

## Goldin Auctions Presents: The Bryant Collection

*June auction features 100+ unique items from Kobe Bryant's childhood, high school career and entry into the NBA including championship rings, game worn high school uniforms and much more*

WEST BERLIN, NJ - APRIL 30, 2013 - In its June 2013 auction, Goldin Auctions is offering collectors the rare opportunity to bid upon more than 100 items of unique memorabilia from the early basketball life of Kobe Bryant consigned by his mother Pamela Bryant. **The Bryant Collection: presented by Goldin Auctions** features a wide array of trophies, championship rings, medals, plaques, game worn uniforms and more from his childhood in Italy, his high school years in Pennsylvania and his early years in the NBA.



For more information, or to register for a free catalog, visit [www.GoldinAuctions.com](http://www.GoldinAuctions.com).

The centerpiece of **The Bryant Collection: presented by Goldin Auctions** is a road maroon Lower Merion High School (LMHS) #24 basketball uniform (shorts and jersey) from Bryant's freshmen year. This uniform is special in that he only wore #24, as a freshman, before switching to #33 for the remainder of his high school career. It is believed to be the only authentic game worn #24 Kobe Bryant LMHS jersey in existence. The next time he wore a #24 jersey was when he switched his NBA number to it after the 2005-06 NBA season. When he finally removes #24 from his back, it will hang in the

rafters alongside, Wilt, Kareem, Magic and Shaq.

In addition to offering one fortunate collector the chance to own this rare #24 uniform, **The Bryant Collection** also includes two complete #33 LMHS uniforms (shorts and jersey) worn by Bryant during his high school career. One uniform is in the home white and the other is the road maroon.

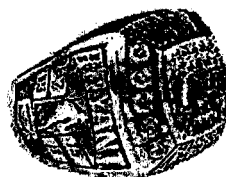
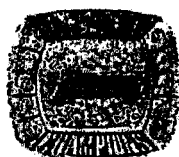
The six rings in the collection include: a 1996 High School McDonald's All-American ring;

1996 High School State Championship ring; 1998 and 2000 NBA All-Star rings; plus a team issued Kobe Bryant 2000 Lakers championship ring given by Kobe to his father Joe Bryant and a specially designed version for his mother Pamela Bryant.

"A team issued championship ring is among the most treasured of all sports collectibles and the opportunity to own one from an active player as historically significant as Kobe Bryant is rare," said Ken Goldin, Founder of Goldin Auctions. "It's also an remarkable opportunity for collectors to own two prominent amateur rings including a McDonald's All-American ring and a High School championship ring. Normally items like these can only be viewed in a museum or the Hall of Fame. We are honored to be able to make these offerings to collectors around the world."

Some of the other items commemorating the legendary high school career of Kobe Bryant in the **Bryant Collection: presented by Goldin Auctions** are: the '93-'94, '94-'95 and '95-'96 LMHS MVP plaques; 1996 Gatorade High School Player of the Year plaque; several LMHS practice jerseys, sweatsuit tops, warm-up jerseys; multiple LMHS Varsity Letters awarded for basketball; and the actual LMHS Central League Champions jacket. From his time as a youngster in Italy, collectors will be able to bid upon the earliest known Kobe Bryant game worn jersey ever offered at auction - an Italian Rieti #44 jersey. Additional items will be announced closer the start of the auction in June.

All items are accompanied by a Letter of Authenticity signed by Kobe's mother Pamela Bryant. The LOA's state that the items are all authentic and have been in her possession until being consigned to auction. Goldin Auctions will also be issuing a LOA with each item guaranteeing its authenticity as well as its origin.



### About Goldin Auctions

Sports memorabilia impresario Ken Goldin has sold more than \$600 million in memorabilia from many of the biggest names in sports, history and pop culture and was the pioneer of using the medium of television to sell sports memorabilia. Earlier this year, Goldin Auctions sold a Honus Wagner T206 card for a public sale record \$2.1 million. Goldin Auctions strives to break new ground and offer collectors the best in collectible treasures up for auction in the marketplace. All game worn or autographed items come with team, player, league or additional LOA from industry leading authenticators; and collectors can bid with confidence that their proxy/ceiling bids remain confidential. For more information, visit [www.goldinauctions.com](http://www.goldinauctions.com).

###

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The Bryant Collection; To clarify our previously issued press release, all items in this collection were consigned by Pamela Bryant.

**Contact Information**

Goldin Auctions

856-767-8550

[www.goldinauctions.com](http://www.goldinauctions.com)

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Drotman Communications of NY Inc | 368 Veterans Memorial Hwy | #8 | Commack | NY | 11725

# Exhibit 2

1 Mark D. Campbell (State Bar No. 180528)  
Eric B. Schwartz (State Bar No. 266554)  
2 LOEB & LOEB LLP  
10100 Santa Monica Boulevard, Suite 2200  
3 Los Angeles, California 90067-4120  
Telephone: (310) 282-2000  
4 Facsimile: (310) 282-2200

5 Attorneys for Plaintiff  
KOBE BRYANT  
6  
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**ELECTRONICALLY FILED**  
Superior Court of California,  
County of Orange

**05/06/2013 at 11:47:00 AM**  
Clerk of the Superior Court  
By Heather Mitchell, Deputy Clerk

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF LOS ANGELES  
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11 Kobe Bryant,

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15 through 25, inclusive,

16 Defendant.  
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Case No.

**DECLARATION OF VANESSA  
BRYANT IN SUPPORT OF EX PARTE  
APPLICATION FOR TEMPORARY  
RESTRAINING ORDER AND ORDER  
TO SHOW CAUSE RE  
PRELIMINARY INJUNCTION AND  
APPOINTMENT OF RECEIVER**

**DECLARATION OF VANESSA BRYANT**

I, VANESSA BRYANT, declare as follows:

1. I am an individual residing in Newport Coast, Orange County, California. I am married to the plaintiff in the above-captioned action, Kobe Bryant ("Kobe"). Except as otherwise indicated, I have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could and would testify competently to those facts under oath.

2. Upon information and belief, Kobe's mother, Pamela Bryant, consigned memorabilia belonging to Kobe to defendant Goldin Auctions, LLC ("Goldin") so that Goldin might offer that memorabilia for sale at public auction.

3. Neither I, nor Kobe (as far as I am aware) ever told my mother-in-law, Pamela Bryant, that Kobe and I did not want Kobe's memorabilia or that she could keep it. In fact, several years ago, while visiting Kobe's parents' home in Philadelphia, Kobe and I specifically requested that Pamela Bryant return the property to Kobe so that we may give those family heirlooms to our children. Pamela Bryant agreed to return Kobe's property, but stated that she had placed it all in storage because she had converted Kobe's old bedroom into a toy room for our nieces. That information greatly concerned me because I believed that she was needlessly placing Kobe's memorabilia at risk of damage or theft. Pamela Bryant never returned Kobe's property.

4. In addition, I never told Pamela Bryant that Kobe and I did not want "items from his past." In fact, we have numerous items from his past in our possession and Kobe and I requested that his mother return all of his memorabilia several years ago.

5. Attached hereto as Exhibit "A" is a list of items that Goldin claims were certified by Kobe's mother, Pamela Bryant. I am informed that this list was provided to Kobe's counsel on May 2, 2013. I note that several of the items listed for auction by Goldin in Exhibit A, including, without limitation, item 52 (Teen Choice Award Surfboard) was last seen by me in my personal residence. I do not know how Kobe's mother or Goldin obtained possession of that item, but it was without my permission.

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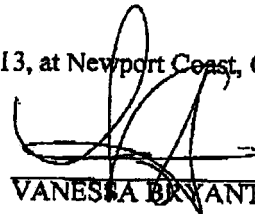
PAGE 04

1           6. I have also reviewed the press release attached as Exhibit "C" to the Verified  
2 Complaint filed by Goldin in the United States District Court for the District of New  
3 Jersey. A true and correct copy of that press release is attached hereto as Exhibit "B". The  
4 press release shows a photograph of one of Kobe's trophies which, was last seen by me in  
5 my personal residence. I do not know how Kobe's mother or Goldin obtained possession  
6 of that trophy, but it was without my permission.

7           I declare under penalty of perjury under the laws of the State of California that the  
8 foregoing is true and correct.

9           Executed this 5th day of May, 2013, at Newport Coast, California.

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VANESSA BRYANT

# Exhibit A

**Mark Campbell**

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**Subject:** FW: Items in Goldin Auctions, LLC's Possession  
**Attachments:** (3146582 - 1) - Items in Goldin Auctions, LLC\_s possession 5-2-13 (2).DOCX

Attached please find a corrected list.

If you have a chance, could you call me to discuss this matter.

**A. Fred Ruttenberg**  
**Flaster/Greenberg PC**

Commerce Center, 1810 Chapel Ave. West, Cherry Hill, NJ 08002  
Phone: 856-382-2257 Fax: 856-661-1919 Mobile: 856-236-9914 Email: [fred.ruttenberg@flastergreenberg.com](mailto:fred.ruttenberg@flastergreenberg.com)  
email | bio | offices | v-card

**Items in Goldin Auctions, LLC's Possession**

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2. 2000 All Star Game Signed Ball
3. Keystone Games Medal and Ribbon
4. 2000 NBA Championship Ring (Joe Bryant)
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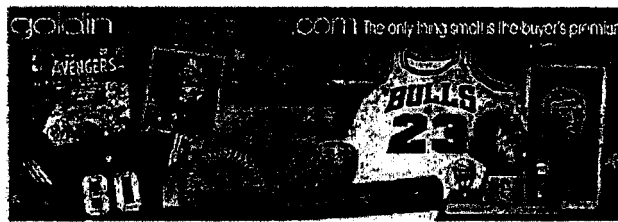


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- 53. USA Today player of the year plaque
- 54. Approximately 5 boxes (unsorted) of papers, photographs, letters and newspapers relating to Kobe's childhood and High School

3146582 v1

## Exhibit B



FOR IMMEDIATE RELEASE

Media Contact:  
Doug Drotman  
631-462-1198  
[doug@drotmanpr.com](mailto:doug@drotmanpr.com)  
@GoldinAuctions

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The centerpiece of **The Bryant Collection: presented by Goldin Auctions** is a road maroon Lower Merion High School (LMHS) #24 basketball uniform (shorts and jersey) from Bryant's freshmen year. This uniform is special in that he only wore #24, as a freshman, before switching to #33 for the remainder of his high school career. It is believed to be the only authentic game worn #24 Kobe Bryant LMHS jersey in existence. The next time he wore a #24 jersey was when he switched his NBA number to it after the 2005-06 NBA season. When he finally removes #24 from his back, it will hang in the

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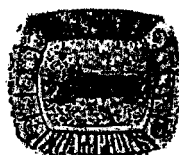
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1996 High School State Championship ring; 1998 and 2000 NBA All-Star rings; plus a team issued Kobe Bryant 2000 Lakers championship ring given by Kobe to his father Joe Bryant and a specially designed version for his mother Pamela Bryant.

"A team issued championship ring is among the most treasured of all sports collectibles and the opportunity to own one from an active player as historically significant as Kobe Bryant is rare," said Ken Goldin, Founder of Goldin Auctions. "It's also an remarkable opportunity for collectors to own two prominent amateur rings including a McDonald's All-American ring and a High School championship ring. Normally items like these can only be viewed in a museum or the Hall of Fame. We are honored to be able to make these offerings to collectors around the world."

Some of the other items commemorating the legendary high school career of Kobe Bryant in the **Bryant Collection: presented by Goldin Auctions** are: the '93-'94, '94-95 and '95-96 LMHS MVP plaques; 1996 Gatorade High School Player of the Year plaque; several LMHS practice jerseys, sweatsuit tops, warm-up jerseys; multiple LMHS Varsity Letters awarded for basketball; and the actual LMHS Central League Champions jacket. From his time as a youngster in Italy, collectors will be able to bid upon the earliest known Kobe Bryant game worn jersey ever offered at auction - an Italian Rieti #44 jersey. Additional items will be announced closer the start of the auction in June.

All items are accompanied by a Letter of Authenticity signed by Kobe's mother Pamela Bryant. The LOA's state that the items are all authentic and have been in her possession until being consigned to auction. Goldin Auctions will also be issuing a LOA with each item guaranteeing its authenticity as well as its origin.



### About Goldin Auctions

Sports memorabilia impresario Ken Goldin has sold more than \$600 million in memorabilia from many of the biggest names in sports, history and pop culture and was the pioneer of using the medium of television to sell sports memorabilia. Earlier this year, Goldin Auctions sold a Honus Wagner T206 card for a public sale record \$2.1 million. Goldin Auctions strives to break new ground and offer collectors the best in collectible treasures up for auction in the marketplace. All game worn or autographed items come with team, player, league or additional LOA from industry leading authenticators; and collectors can bid with confidence that their proxy/ceiling bids remain confidential. For more information, visit [www.goldinauctions.com](http://www.goldinauctions.com).

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The Bryant Collection; To clarify our previously issued press release, all items in this collection were consigned by Pamela Bryant.

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